



Notice of Price Agreement Award

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Printed: 2/20/2004

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CAPITOL HILL
PROVIDENCE RI 02908

V E N D O R	RANDY J OSGA 565 QUAKER LN UNIT 14 WEST WARWICK RI 02893	PHOTOGRAPHERS	
		Award Number 68M00296763	Effective Period: 2/16/04 - 1/31/07

S H I P T O	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA	Date: 02/16/2004 Buyer: NANCY MCINTYRE Shipping: F.O.B., Destination Terms: Net 30	I N V O I C E	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA

Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-214	B03229
Item		Unit	Unit Price
	2/16/04 - 1/31/07 MASTER PRICE AGREEMENT #214 THIS IS A NOTICE OF AWARD, NOT AN ORDER. Any quantity reference in the agreement or in the bid preceding it are estimates only and do not represent a commitment on the part of the state to any level of billing activity, other than for quantities or volumes specifically released during the term. No action is to be taken except as specifically authorized, as described herein under AUTHORIZATION AND RELEASE. ENTIRE AGREEMENT - This NOTICE OF AWARD, with all attachments, and any release(s) against it shall be subject to: (1) the specifications, terms and conditions set forth in the Request/Bid Number cited herein, (2) the General Terms and Conditions of Contracts for the State of Rhode Island and (3) all provisions of, and the Rules and Regulations promulgated pursuant to, Title 37, Chapter 2 of the General Laws of the State of Rhode Island. This NOTICE shall constitute the entire agreement between the State of Rhode Island and the Vendor. No assignment of rights or responsibility will be permitted except with the express written permission of the State Purchasing Agent or his designee. CANCELLATION, TERMINATION and EXTENSION - This Price Agreement shall automatically terminate as of the date(s) described under CONTRACT PERIOD unless this Price Agreement is altered by formal amendment by the State Purchasing Agent or his designee upon mutual agreement between the State and the Vendor. AUTHORIZATION AND RELEASE. In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency. A Direct Purchase Order (DPO) shall be created by the agency listing the items ordered, using the pricing and format set forth in the Master Blanket. All pricing shall be as described in the Master Blanket and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected in Master Blanket.		

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at www.purchasing.state.ri.us. Delivery of goods or services as described herein shall be deemed acceptance of these requirements.

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STATE PURCHASING AGENT/DESIGNEE



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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-214	B03229
Item		Unit	Unit Price
	<p>THIS IS A MULTI-YEAR BID/CONTRACT. PER RHODE ISLAND STATE LAW 37-2-33, CONTRACT OBLIGATIONS BEYOND THE CURRENT FISCAL YEAR ARE SUBJECT TO AVAILABILITY OF FUNDS. CONTINUATION OF THE CONTRACT BEYOND THE INITIAL FISCAL YEAR WILL BE AT THE DISCRETION OF THE STATE. TERMINATION MAY BE EFFECTED BY THE STATE BASED UPON DETERMINING FACTORS SUCH AS UNSATISFACTORY PERFORMANCE OR THE DETERMINATION BY THE STATE TO DISCONTINUE THE GOODS/SERVICES, OR TO REVISE THE SCOPE AND NEED FOR THE TYPE OF GOODS/SERVICES; ALSO MANAGEMENT OWNER DETERMINATIONS THAT MAY PRECLUDE THE NEED FOR GOODS/SERVICES.</p> <p>REPORTS - The Vendor agrees to provide the State with quarterly reports describing activity against this Price Agreement. If this is a Master Price Agreement, such reports shall include usage by municipalities, quasi-public agencies, schools, etc. All reports shall contain the following data: (1) Billing volume in dollars and (2) quantity shipped for each line item in the price agreement. When there are no line items in the price agreement, vendor shall report volume by catalog order numbers, with a brief description of each order number.</p> <p>Reports must be submitted to the RI Division of Purchases to the attention BUYER named in this notice, identifying the Agreement number and the Reporting Period. Quarterly reports shall be due 45 calendar days after the end of each quarter. Failure to submit required reports shall be considered a breach of the contractor's obligations and may be considered, at the discretion of the State Purchasing Agent, sufficient cause for the termination of the agreement and other outstanding agreements and orders, and possible suspension from participation in additional State procurements.</p> <p>EVERY PERSON OR BUSINESS ENTITY PROVIDING GOODS OR SERVICES AT A COST OF \$5000 CUMULATED VALUE IS REQUIRED TO FILE AN AFFIDAVIT REGARDING POLITICAL CAMPAIGN CONTRIBUTIONS WITH THE RI STATE BOARD OF ELECTIONS EVEN IF NO REPORTABLE CAMPAIGN CONTRIBUTIONS HAVE BEEN MADE. (RI GENERAL LAW 17-27) FORMS OBTAINED AT BOARD OF ELECTIONS, CAMPAIGN FINANCE DIVISION, 50 BRANCH AVENUE, PROVIDENCE, RI 02904 (401-222-2056).</p>		

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Department			Bid Number	Requisition Number
ADMINISTRATION		MPA-214	B03229	
Item		Unit	Unit Price	
	STATEWIDE APPLICABILITY - Political Subdivisions (cities, towns, schools, quasi-public agencies), as authorized by law, may participate in this Agreement. All ordering and billing shall be between the vendor and the political subdivision (only). THIS PURCHASE ORDER IS AWARDED SUBJECT TO EQUAL OPPORTUNITY COMPLIANCE. RATE SHOOTING FEES: (INCLUDING DIGITAL PHOTOGRAPHY)			
1.0	2/16/04 - 6/30/04 - RATE SHOOTING FEES, PER HOUR PER DAY (6 AM-6 PM)	HR	70.00	
2.0	7/1/04 - 6/30/05 - RATE SHOOTING FEES, PER HOUR PER DAY (6 AM-6 PM)	HR	70.00	
3.0	7/1/05 - 6/30/06 - RATE SHOOTING FEES, PER HOUR PER DAY (6 AM-6 PM)	HR	70.00	
4.0	7/1/06 - 1/31/07 - RATE SHOOTING FEES, PER HOUR PER DAY (6 AM-6 PM)	HR	75.00	
5.0	2/16/04 - 6/30/04 - RATE SHOOTING FEES, PER HOUR PER EVENING/HOLIDAY	HR	70.00	
6.0	7/1/04 - 6/30/05 - RATE SHOOTING FEES, PER HOUR PER EVENING/HOLIDAY	HR	70.00	
7.0	7/1/05 - 6/30/06 - RATE SHOOTING FEES, PER HOUR PER EVENING/HOLIDAY	HR	70.00	
8.0	7/1/06 - 1/31/07 - RATE SHOOTING FEES, PER HOUR PER EVENING/HOLIDAY	HR	75.00	

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ADMINISTRATION		MPA-214	B03229	
Item		Unit	Unit Price	
9.0	2/16/04 - 6/30/04 - RATE SHOOTING FEES, PER HOUR PER WEEKEND (SATURDAY OR SUNDAY)	HR	70.00	
10.0	7/1/04 - 6/30/05 - RATE SHOOTING FEES, PER HOUR PER WEEKEND (SATURDAY OR SUNDAY)	HR	70.00	
11.0	7/1/05 - 6/30/06 - RATE SHOOTING FEES, PER HOUR PER WEEKEND (SATURDAY OR SUNDAY)	HR	70.00	
12.0	7/1/06 - 1/31/07 - RATE SHOOTING FEES, PER HOUR PER WEEKEND (SATURDAY OR SUNDAY)	HR	75.00	
13.0	2/16/04 - 6/30/04 - RATE SHOOTING FEES, PER EVENT E.G. FOOTBALL, BASKETBALL, GYMNASTICS	EVENT	250.00	
14.0	7/1/04 - 6/30/05 - RATE SHOOTING FEES, PER EVENT E.G. FOOTBALL, BASKETBALL, GYMNASTICS	EVENT	250.00	
15.0	7/1/05 - 6/30/06 - RATE SHOOTING FEES, PER EVENT E.G. FOOTBALL, BASKETBALL, GYMNASTICS	EVENT	260.00	
16.0	7/1/06 - 1/31/07 - RATE SHOOTING FEES, PER EVENT E.G. FOOTBALL, BASKETBALL, GYMNASTICS	EVENT	270.00	
	FILM + PROCESSING RATES (PRICE TO INCLUDE FILM + PROCESSING)			
17.0	2/16/04 - 6/30/04 - FILM + PROCESSING - PER ROLL BLACK & WHITE (36 EXP.)	ROLL	35.00	

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Department			Bid Number	Requisition Number
ADMINISTRATION		MPA-214	B03229	
Item		Unit	Unit Price	
18.0	7/1/04 - 6/30/05 - FILM + PROCESSING - PER ROLL BLACK & WHITE (36 EXP.)	ROLL	35.00	
19.0	7/1/05 - 6/30/06 - FILM + PROCESSING - PER ROLL BLACK & WHITE (36 EXP.)	ROLL	40.00	
20.0	7/1/06 - 1/31/07 - FILM + PROCESSING - PER ROLL BLACK & WHITE (36 EXP.)	ROLL	40.00	
21.0	2/16/04 - 6/30/04 - FILM + PROCESSING - PER ROLL COLOR (36 EXP.)	ROLL	45.00	
22.0	7/1/04 - 6/30/05 - FILM + PROCESSING - PER ROLL COLOR (36 EXP.)	ROLL	45.00	
23.0	7/1/05 - 6/30/06 - FILM + PROCESSING - PER ROLL COLOR (36 EXP.)	ROLL	45.00	
24.0	7/1/06 - 1/31/07 - FILM + PROCESSING - PER ROLL COLOR (36 EXP.)	ROLL	45.00	
25.0	2/16/04 - 6/30/04 - FILM + PROCESSING - PER ROLL COLOR SLIDES (36 EXP.)	ROLL	40.00	
26.0	7/1/04 - 6/30/05 - FILM + PROCESSING - PER ROLL COLOR SLIDES (36 EXP.)	ROLL	40.00	
27.0	7/1/05 - 6/30/06 - FILM + PROCESSING - PER ROLL COLOR SLIDES (36 EXP.)	ROLL	40.00	

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ADMINISTRATION		MPA-214	B03229	
Item		Unit	Unit Price	
28.0	7/1/06 - 1/31/07 - FILM + PROCESSING - PER ROLL COLOR SLIDES (36 EXP.) PRINT RATES:	ROLL	45.00	
29.0	2/16/04 - 6/30/04 - PRINT RATES - BLACK & WHITE PRINTS 2" X 3"	EA	1.00	
30.0	7/1/04 - 6/30/05 - PRINT RATES - BLACK & WHITE PRINTS 2" X 3"	EA	1.00	
31.0	7/1/05 - 6/30/06 - PRINT RATES - BLACK & WHITE PRINTS 2" X 3"	EA	1.00	
32.0	7/1/06 - 1/31/07 - PRINT RATES - BLACK & WHITE PRINTS 2" X 3"	EA	1.50	
33.0	2/16/04 - 6/30/04 - PRINT RATES - BLACK & WHITE PRINTS 4" X 5"	EA	2.00	
34.0	7/1/04 - 6/30/05 - PRINT RATES - BLACK & WHITE PRINTS 4" X 5"	EA	2.00	
35.0	7/1/05 - 6/30/06 - PRINT RATES - BLACK & WHITE PRINTS 4" X 5"	EA	2.00	
36.0	7/1/06 - 1/31/07 - PRINT RATES - BLACK & WHITE PRINTS 4" X 5"	EA	2.50	
37.0	2/16/04 - 6/30/04 - PRINT RATES - BLACK & WHITE PRINTS 4" X 6"	EA	2.50	

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RANDY J OSGA
565 QUAKER LN
UNIT 14
WEST WARWICK RI 02893

PHOTOGRAPHERS

Award Number Effective Period:
68M00296763 **2/16/04 - 1/31/07**

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ADMINISTRATION
MASTER PRICE AGREEMENT
RELEASE AGAINST RI MPA

Date: 02/16/2004
Buyer: NANCY MCINTYRE
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ADMINISTRATION
MASTER PRICE AGREEMENT
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-214	B03229
Item		Unit	Unit Price
38.0	7/1/04 - 6/30/05 - PRINT RATES - BLACK & WHITE PRINTS 4" X 6"	EA	2.50
39.0	7/1/05 - 6/30/06 - PRINT RATES - BLACK & WHITE PRINTS 4" X 6"	EA	2.50
40.0	7/1/06 - 1/31/07 - PRINT RATES - BLACK & WHITE PRINTS 4" X 6"	EA	3.00
41.0	2/16/04 - 6/30/04 - PRINT RATES - BLACK & WHITE PRINTS 5" X 7"	EA	4.00
42.0	7/1/04 - 6/30/05 - PRINT RATES - BLACK & WHITE PRINTS 5" X 7"	EA	4.00
43.0	7/1/05 - 6/30/06 - PRINT RATES - BLACK & WHITE PRINTS 5" X 7"	EA	5.00
44.0	7/1/06 - 1/31/07 - PRINT RATES - BLACK & WHITE PRINTS 5" X 7"	EA	5.00
45.0	2/16/04 - 6/30/04 - PRINT RATES - BLACK & WHITE PRINTS 8" X 10"	EA	8.00
46.0	7/1/04 - 6/30/05 - PRINT RATES - BLACK & WHITE PRINTS 8" X 10"	EA	8.00
47.0	7/1/05 - 6/30/06 - PRINT RATES - BLACK & WHITE PRINTS 8" X 10"	EA	10.00

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ADMINISTRATION		MPA-214	B03229	
Item		Unit	Unit Price	
48.0	7/1/06 - 1/31/07 - PRINT RATES - BLACK & WHITE PRINTS 8" X 10"	EA	10.00	
49.0	2/16/04 - 6/30/04 - PRINT RATES - COLOR PRINTS 2" X 3"	EA	2.00	
50.0	7/1/04 - 6/30/05 - PRINT RATES - COLOR PRINTS 2" X 3"	EA	2.00	
51.0	7/1/05 - 6/30/06 - PRINT RATES - COLOR PRINTS 2" X 3"	EA	2.00	
52.0	7/1/06 - 1/31/07 - PRINT RATES - COLOR PRINTS 2" X 3"	EA	3.00	
53.0	2/16/04 - 6/30/04 - PRINT RATES - COLOR PRINTS 4" X 5"	EA	3.00	
54.0	7/1/04 - 6/30/05 - PRINT RATES - COLOR PRINTS 4" X 5"	EA	3.00	
55.0	7/1/05 - 6/30/06 - PRINT RATES - COLOR PRINTS 4" X 5"	EA	3.00	
56.0	7/1/06 - 1/31/07 - PRINT RATES - COLOR PRINTS 4" X 5"	EA	4.00	
57.0	2/16/04 - 6/30/04 - PRINT RATES - COLOR PRINTS 4" X 6"	EA	3.00	

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ADMINISTRATION
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-214	B03229
Item		Unit	Unit Price
58.0	7/1/04 - 6/30/05 - PRINT RATES - COLOR PRINTS 4" X 6"	EA	3.00
59.0	7/1/05 - 6/30/06 - PRINT RATES - COLOR PRINTS 4" X 6"	EA	3.00
60.0	7/1/06 - 1/31/07 - PRINT RATES - COLOR PRINTS 4" X 6"	EA	4.00
61.0	2/16/04 - 6/30/04 - PRINT RATES - COLOR PRINTS 5" X 7"	EA	8.00
62.0	7/1/04 - 6/30/05 - PRINT RATES - COLOR PRINTS 5" X 7"	EA	8.00
63.0	7/1/05 - 6/30/06 - PRINT RATES - COLOR PRINTS 5" X 7"	EA	8.00
64.0	7/1/06 - 1/31/07 - PRINT RATES - COLOR PRINTS 5" X 7"	EA	10.00
65.0	2/16/04 - 6/30/04 - PRINT RATES - COLOR PRINTS 8" X 10"	EA	10.00
66.0	7/1/04 - 6/30/05 - PRINT RATES - COLOR PRINTS 8" X 10"	EA	10.00
67.0	7/1/05 - 6/30/06 - PRINT RATES - COLOR PRINTS 8" X 10"	EA	10.00

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ADMINISTRATION		MPA-214	B03229	
Item		Unit	Unit Price	
68.0	7/1/06 - 1/31/07 - PRINT RATES - COLOR PRINTS 8" X 10"	EA	12.00	
	OTHER COSTS/SPECIAL RATES			
	TEAM PHOTOS - ALL INCLUSIVE (SHOOTING, FILM, PROCESSING) 3 (8 X 10) PRINTS			
69.0	2/16/04 - 6/30/04 - TEAM PHOTOS - ALL INCLUSIVE, 3 (8 X 10) PRINTS	EA	150.00	
70.0	7/1/04 - 6/30/05 - TEAM PHOTOS - ALL INCLUSIVE, 3 (8 X 10) PRINTS	EA	150.00	
71.0	7/1/05 - 6/30/06 - TEAM PHOTOS - ALL INCLUSIVE, 3 (8 X 10) PRINTS	EA	160.00	
72.0	7/1/06 - 1/31/07 - TEAM PHOTOS - ALL INCLUSIVE, 3 (8 X 10) PRINTS	EA	170.00	
73.0	2/16/04 - 6/30/04 - STROBE SET-UP	EA	40.00	
74.0	7/1/04 - 6/30/05 - STROBE SET-UP	EA	40.00	
75.0	7/1/05 - 6/30/06 - STROBE SET-UP	EA	40.00	
76.0	7/1/06 - 1/31/07 - STROBE SET-UP	EA	45.00	

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ADMINISTRATION		MPA-214	B03229	
Item			Unit	Unit Price
77.0	2/16/04 - 6/30/04 - PRICE PER EACH CD (36 EXP.)		EA	50.00
78.0	7/1/04 - 6/30/05 - PRICE PER EACH CD (36 EXP.)		EA	50.00
79.0	7/1/05 - 6/30/06 - PRICE PER EACH CD (36 EXP.)		EA	50.00
80.0	7/1/06 - 6/30/07 - PRICE PER EACH CD (36 EXP.)		EA	60.00
	ADDITIONAL SERVICES:			
81.0	DIGITAL CAMERA SHOOT, 3 HOURS MAXIMUM		EA	200.00
82.0	CD OF PHOTOS		EA	50.00
	DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY. PAYMENTS WILL BE AUTHORIZED UPON SUBMISSION OF PROPERLY RENDERED INVOICES TO THE RECEIVING AGENCY. ANY UNUSED BALANCE AT END OF BLANKET PERIOD IS AUTOMATICALLY CANCELLED.			
	AVAILABLE: 24/7/365			
	CONTACT INFORMATION: TELEPHONE #: 401-952-7435 FAX #: 401-828-1856 E-MAIL: rosga@cox.net WEBSITE: www.randyosga.com CELL PHONE #: 401-952-7435			

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at www.purchasing.state.ri.us. Delivery of goods or services as described herein shall be deemed acceptance of these requirements.

COPY

STATE PURCHASING AGENT/DESIGNEE

MASTER PRICE AGREEMENT #214 - PHOTOGRAPHERS

Freelance Photographers specifications for all State Agencies including the University of Rhode Island's Department of Communications/News Bureau, Pacer, Publications, Athletics and other departments as needed.

Basic Function

Serve as a freelance photographer. Ability to provide digital files on CD with Quickshow or Slideshow preview or black and white, color prints and color slides and other difficult photographic work where retakes are seldom possible, as assigned by and for use by all State Agencies, including the URI Department of Communications/News Bureau, Pacer, Publications, Athletics and other departments as needed.

Vendor shall not bill the University more than one shooting fee for attendance at any assignment regardless of the number of departments that may use the photography, products or services authorized by this agreement.

Essential duties and responsibilities

Photograph assigned events and people related to the various State Agencies including the University of Rhode Island for use by the Department of Communications/News Bureau, Pacer, Publications, Athletics and other departments as needed.

Photographer to have the capability of providing digital rgb, jpeg or tiff files of selected or all shots from assignments in an output resolution of 300 dpi for a full frame image at actual size of 8" x 10 ". Specified cropping or enlargement for selected images may be requested. Digital files to be provided to Communications Office on CD with Quickshow or Slideshow.

Skilled technical work involving color or black and white print processing of shots may also be requested. To utilize a wide variety of digital cameras, film, lenses and other photographic equipment as necessary to obtain optimum results in diverse situations. To determine camera angle, focus, shutter speed, lens setting, correct light filter and exposure time. Get identification of each person photographed with correct spelling of name and hometown.

Provide quick turn around (in some cases same day or 24 hour turn around) on digital, rgb, jpeg or tiff files of selected or all shots from assignments for use by all State Agencies including the URI Department of Communications/News Bureau, Pacer, Publications, Athletics and other departments as needed or as specified by the URI Department of Communications/News Bureau.

Availability schedules are required with bid submittal.

Other duties and responsibilities:

Maintain records of photo shots and photos for a period of five (5) years, regardless of award renewal with the State of Rhode Island. Supply the State Agencies including the URI Department of Communications/News Bureau, Pacer, Publications, Athletics and other departments as needed with required images from those files when necessary.

Qualifications:

2 years professional experience. Strong background as a professional commercial photographer. Must be able to do commercial photography, portraiture and photo journalism. Must have knowledge of digital, color neg, color reversal and black and white films. There may be instances at smaller agencies when the photographers must be able to operate copy stand to process copy neg. work and provide black and white prints from color slides. Must possess thorough knowledge of location and studio lighting techniques. Must have good communication and interpersonal skills.

Must have pager or cell phone. Vendor must be accessible via a cell phone or pager at all times as provided for in their completed availability schedule.

Vendor must furnish all labor, materials and equipment.

All requirements are subject to possible modification to reasonably accommodate individuals with disabilities.

These specifications in no way state or imply that these are the only duties to be performed by the freelance photographer providing services. Freelancers may be required to perform other job-related duties requested.

All vendors who submit responsive, responsible bids will be listed on the agreement, in order of pricing. Multiple awards may be made in the best interest of the State. In addition, vendor selection by the State Agencies, including the University of Rhode Island, for a particular job will be dependent upon quality/type of work, rates (i.e. shooting fees - day, evening, holiday and weekend fees, processing and printing), and availability of photographer.

Interested bidders must submit three (3) samples of photography work from a variety of sources, including newspapers, magazines, and brochures. In addition, photographers may include their website address for any sample photography work that the agencies could view online.

Regarding availability schedules, the University of Rhode Island News Bureau and other State Agencies where applicable, must be notified at least one week in advance of vacations and any time vendor is not available for work.

Contact person for the University of Rhode Island

Linda A. Acciaro
Director ,
Department of Communications
874-2116

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Nancy L. Gillespie
Department of Communications
News Bureau
22 Davis Hall
Kingston, RI 02881
874-2116

TERMS AND CONDITIONS OF PRICING AGREEMENT

SCOPE AND LIMITATIONS - This Agreement covers requirements as described herein, ordered by State agencies during the Agreement Period. No additional or alternative requirements are covered, unless added to the Agreement by formal amendment by the State Purchasing Agent or his designee.

Under State Purchasing Law, 37-2-54, "no purchase or contract shall be binding on the state or any agency thereof unless approved by the department [of administration] or made under general regulations which the chief purchasing officer may prescribe." Under State Purchasing Regulation 8.2.1.1.2, "any alleged oral agreement or arrangements made by a bidder or contractor with any agency or an employee of the Office of Purchases may be disregarded and shall not be binding on the state."

PRODUCT ACCEPTANCE - All merchandise offered or otherwise provided shall be new, of prime manufacture, and of first quality unless otherwise specified by the State. The State reserves the right to reject all nonconforming goods, and to cause their return for credit or replacement, at the State's option.

- a) Failure by the state to discover latent defect(s) or concealed damage or non-conformance shall not foreclose the State's right to subsequently reject the goods in question.
- b) Formal or informal acceptance by the State of non-conforming goods shall not constitute a precedent for successive receipts or procurements.

Where the vendor fails to cure the defect promptly or replace the goods, the State reserves the right to cancel the Release, contract with a different vendor, and to invoice the original vendor for any differential in price over the original contract price.

ORDER AUTHORIZATION AND RELEASE AGAINST PRICING AGREEMENT

In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.

State Agencies shall request release as follows: All releases shall reference the Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein.

A Department Purchase Order (DPO) listing the items ordered shall be created by the agency. The agency may mail or fax a copy of the order to the Vendor. In some cases the agency may request delivery by telephone, but must provide the Vendor with a DPO Order Number reference for billing purposes. Vendors are encouraged to require written orders to assure payments are processed accurately and promptly.

DELIVERY – If this is an MPA, Vendor will obtain "ship to" information from each participating agency. This information will be contained in the DPO. APA delivery information will be contained in the Notice of Award.

PRICING - All pricing shall be as described herein, and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected herein.

INVOICING – All invoices shall reference the DPO Order Number(s), Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein. If this is an MPA, Vendor will obtain "bill to" information from each participating agency. This information will be contained in the DPO. APA billing information will be contained in the Notice of Award.

PAYMENT - Invoices for items not received, not priced according to contract or for work not yet performed will not be honored. No payment will be processed to any vendor for whom there is no IRS W-9 on file with the State Controller.